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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.39967 of 2020 (O&M)
Decided on: 04.12.2020

Jasmeet Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.184 dated 29.10.2020, for offence punishable under Sections 186, 353, 307, 506, 427 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC') (Section 332 IPC added later) registered at Police Station Mataur, District S.A.S. Nagar, Mohali.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered by Constable Pritpal Singh, he along with the SHO of the Police Station, was present near a wine shop on a patrol duty and it was noticed that some young men were consuming liquor by keeping the same on the bonnet of the car and when they were stopped from doing so, they became aggressive and tore away the official uniform of the complainant and removed his turban and also tried to run over him with his car but he escaped. It is further submitted that the petitioner is in custody since 29.10.2020 and without prejudice

CASE HEARD THROUGH VIDEO CONFERENCING

to his right of defence, he is ready to pay a sum of Rs.50,000/- to the complainant/victim by way of a demand draft towards the medical expenses incurred by him. It is also submitted that the petitioner is not involved in any other case.

Counsel for the State has not disputed the factual position but opposed the prayer for bail.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate and on payment of Rs.50,000/- by way of a demand draft favouring the complainant/victim before the trial Court.

The payment of Rs.50,000/- shall be a pre-condition before accepting the bail/surety bonds.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

04.12.2020
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No